

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p><b>THE UNITED STATES</b></p> <p><i>vs.</i></p> <p><b>David Wayne Pøke</b></p>	<p><i>For U. S.:</i></p> <p><b>Hubert H. Bryant</b></p>  <p><i>For Defendant:</i></p> <p><b>Elliott Howe (Apptx)</b>  <b>624 S. Denver</b>  <b>Tulsa, Okla.</b></p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 3-21-70	Clerk				
J.S. 3 mailed 4-20-70	Marshal				
Violation Juv. Del.	Docket fee				
Title Forgery					
18					
Sec. 5031 and					
5037					

DATE	PROCEEDINGS
3-24-70	Defendant present in person and represented. Defendant advised of the charge and having consented in writing to prosecution under the juvenile delinquency act and having been fully apprised of his rights and fo the consequences of such consent. Information and consent filed in open court, and copy of the information delivered to the defendant. Defendant arraigned and enters pleas of NOT GUILTY, and is adjudged that the juvenile is delinquent, and case set for next jury term. Defendant granted 10 days to file motions.(AEB-J)h
3-24-70	Appearance bond of the defendant in the sum of \$1,500.00 (10% cash) filed.
3-24-70	Order specifying methods and conditions of release, filed. b
4-7-70	Defendant present in person and represented. Defendant withdraws pleas of Not Guilty to Cts. 1&2, heretofore entered 3-24-70 and enters pleas of GUILTY as to Cts. 1&2, and is adjudged GUILTY as charged in Cts. 1&2 and sentence passed to Tues. 4-21-70 at 10:00AM. (AEB-J)h

over

DATE	PROCEEDINGS
4-21-70 4-21-70 4-21-70 5-15-70	<p>Defendant present in person and represented.  Judgment and Sentence- David Wayne Poke (17)  Imposition of sentence in Cts. 1&amp;2 suspended  and defendant placed on probation for a period of 2 years from this  date, as to each ct. concurrently, pursuant to the juvenile delinquency  Act. And the conditions of probation are that the defendant attend  and complete high school, and obtain and keep a job. (AEB-J)h</p> <p>Order of Probation filed and entered. (AEB-J)h</p> <p>Two c.c. of above delivered to Prob. Office. h</p> <p>Order to Pay Bond Refund, filed (AEB-J). js</p>

## UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

## RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Benjamin B. Ballenger 411 U. S. Court House, Tulsa, Okla.  
(Name of commissioner) (Address)COMMISSIONER'S  
DOCKET NO. 2 CASE NO. 583  
THE UNITED STATES  
vs.

David Wayne Poke

Complaint filed on Feb. 11th, 1970, by R. I. Roethe  
Official title Postal Inspector, charging violation of  
United States Code, Title 18, Section 1708 & 495 9-1-  
19 69, at Tulsa in the  
division of the Northern district of Oklahoma  
as follows: have in his possession the contents of a  
first class letter consistion of Welfare Check in  
amount of \$43.00, which had been stolen from an  
authorized mail receptacle and forge check

(Here insert brief summary of facts constituting offense charged)

## WARRANTS OR SUMMONS ISSUED:

Date Feb. 11, 1970 Warrant/Summons for David Wayne Poke  
(Name of defendant)  
to (name and title of officer) the United States Marshal or any other authorized officer:  
Substance of return David Wayne Poke arrested at Tulsa, Oklahoma on Feb. 14, 1970  
y Archie M. McDonald, Deputy U. S. Marshal  
Date Warrant/Summons for  
to (name and title of officer)  
Substance of returnFILED  
17264  
FEB 24 1970

## PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Feb. 14, 1970 Arrested by A. M. McDonald

M. M. EWING, CLERK  
U.S. DISTRICT COURT  
(Name of issuing officer)  
without warrant.Appearances { for United States Hubert H. Bryant  
(Name) (Address)  
for accused  
(Name) (Address)

Proceedings taken 2-16-70 Accused present in person and not represented by counsel,

(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"  
advised as to counsel and waived at this hearing, waiver signed; said he  
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
would have counsel. Accused advised as to charged and preliminary hearing.  
if that is the fact; any adjournments taken, etc.  
Preliminary set on February 24, 1970 at 9:00 A. M. Bond fixed at \$1,500.00  
10% cash or surety. Accused failed to post bond, held for court action.

Outcome Held for court action, failed to post bond and committed.

Bail fixed Feb. 16, 1970 Amount, \$ 1,500.00 Bonded, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address  
justified by affidavit dated, 19, [or] committed to custody of the U. S. Marshal  
on Feb. 16th, 1970.

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
 at request of (name of party)\_\_\_\_\_  
 Substance of return\_\_\_\_\_  
 \_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
 at request of (name of party)\_\_\_\_\_  
 Substance of return\_\_\_\_\_  
 \_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
 at request of (name of party)\_\_\_\_\_  
 Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date **February 24th, 1970** appearances for

United States (Name) **Hubert H. Bryant, Asst.**  
 (Address) **U. S. Atty.**  
 Accused (Name) **Elliott Howe**  
 (Address) **Denver Bldg., Tulsa,**

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
 Proceedings taken \_\_\_\_\_

**February 24, 1970 Accused present in person and represented by Elliott Howe, government represented by Hubert H. Bryant, accused waives preliminary hearing, failed to post \$1,500.00, 10 % bond and committed to the custody of the U. S. Marshal, accused held for court action.**

Outcome **Held for Court action, Final Commitment issued.**

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
 deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
 transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
 [or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
 and \_\_\_\_\_ Address \_\_\_\_\_  
 who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to **U. S. Marshal**  
 on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this **24th** day of **February**, 19 **70**

Transmitted to Clerk of United States District Court for the **Northern**  
 district of **Oklahoma**, **February 24th**, 19 **70**

**Benjamin B. Ballenger**

United States Commissioner.